

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

THE GENERAL LAND OFFICE OF THE
STATE OF TEXAS, and DAWN
BUCKINGHAM, M.D., in her official
capacity as Commissioner of the Texas
General Land Office,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
HOMELAND SECURITY; and ALEJANDRO
MAYORKAS, in his official capacity as
Secretary of the Department of Homeland
Security,

Defendants.

No. 7:21-cv-00272

THE STATE OF MISSOURI; THE STATE
OF TEXAS,

Plaintiffs,

v.

JOSEPH R. BIDEN, in his official capacity as
President of the United States, *et al.*

Defendants.

No. 7:21-cv-00420
(formerly No. 6:21-cv-00052)

PLAINTIFFS' SUPPLEMENTAL APPENDIX
VOLUME I

TABLE OF CONTENTS

Vol. I

Declaration of Alan McWilliams	Supp. App. 0001
Declaration of Brian Carter	Supp. App. 0006
Photos from GLO Farm 2021 to present	Supp. App. 0015

Vol. II

Photos from GLO Farm 2021 to present	Supp. App. 0072
--	-----------------

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

THE GENERAL LAND OFFICE OF
TEXAS, and DAWN BUCKINGHAM,
M.D., in her official capacity as
Commissioner of the Texas General
Land Office,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
HOMELAND SECURITY; and
ALEJANDRO MAYORKAS, in his
official capacity as Secretary of the
Department of Homeland Security,

Defendants.

No. 7:21-cv-00272

MISSOURI and TEXAS,

Plaintiffs,

v.

JOSEPH R. BIDEN, in his official capacity
as President of the United States, *et al.*,

Defendants.

No. 7:21-cv-00420
(formerly No. 6:21-cv-00052)

DECLARATION OF ALAN McWILLIAMS

My name is Alan McWilliams and I am over the age of 18 and fully competent to make this declaration and state the following:

1. I am the Deputy Director of Leasing Operations for the Texas General Land Office (GLO). I have worked for GLO since 2004.

2. As part of my duties as Deputy Director of Leasing Operations, I oversee operations on what is known as the GLO Farm, a 3099-acre farm owned by the Texas Permanent School Fund in Starr County. The GLO Farm is situated on the Texas-Mexico border and is depicted in a map (Att. 1) previously produced in this matter as GLO000302.

3. To keep a better eye on the condition of the GLO Farm regarding Border Wall construction and damage to the GLO Farm from unlawful immigration activities, I directed the erection of a motion-detected video camera on the GLO Farm. This camera can collect both pictures and videos. I understand that GLO has produced several photographs and videos captured by that camera in this matter.

4. All the photographs and videos produced by GLO in this matter from this camera are true and correct copies of the photographs captured by that camera and retrieved by GLO field personnel. This includes:

- a. GLO000001–GLO000248
- b. GLO000307–GLO000374
- c. GLO000379–GLO000387
- d. GLO000427–GLO000429
- e. GLO000476–GLO000881

5. GLO field personnel usually retrieve the data card, and the photographs captured by the camera, every couple months or so. There is no hard schedule for data retrieval. On July 17, 2023, we retrieved the photographs captured by the cameras and then reset and replaced the camera for future photographic collection. The next photographic retrieval from the camera occurred on August 15, 2023.

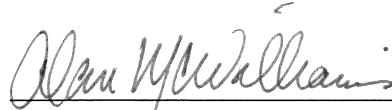
6. For reasons we do not fully understand, after the camera was reset and replaced on July 17, 2023, the camera reset itself (perhaps more than once), causing it to lose an accurate date and time. Instead, it appears that the camera, after reset, reflected an initial default or factory setting of January 1, 2020 as the date.

7. Because of this camera reset, many of the photographs collected from the July 18, 2023 through August 15, 2023 time period do not reflect proper date and time stamps.

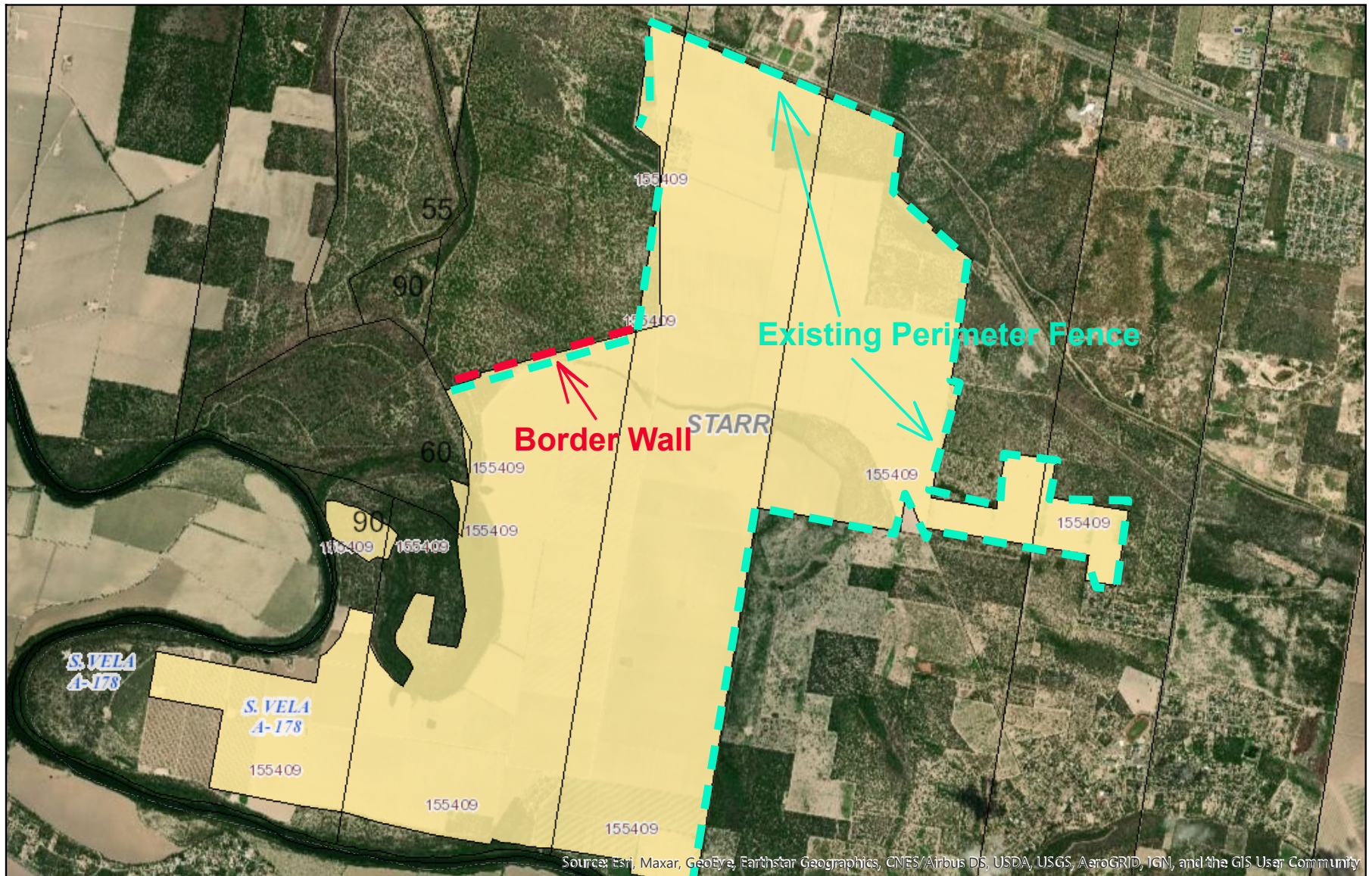
8. Approximately 304 photographs were produced from the July 18, 2023 through August 15, 2023 time period. While some of the photographs appear to have proper time and date stamps (GLO000578–GLO000600), most of the photographs collected from the July 18, 2023 through August 15, 2023 time period (GLO000601–GLO000881) do not have proper time and date stamps. Rather, 281 photographs collected from the July 18, 2023 through August 15, 2023 time period (GLO000601–GLO000881) reflect incorrect date stamps from January 1, 2020 through January 25, 2020. However, these photographs (GLO000601–GLO000881) were taken by the camera between July 18, 2023 and August 15, 2023.

9. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this the 22nd day of August, 2023.



ALAN McWILLIAMS



StarrCo Farm, Starr County



Please review all copyright and disclaimer information from our webpage here, <https://www.glo.texas.gov/policy/index.html>. The Texas General Land Office makes no representations or warranties regarding the accuracy or completeness of the information depicted on this map or the data from which it was produced. This map is not suitable for navigational purposes and does not purport to depict boundaries of private and public land.

0 0.28 0.55 1.1 mi

Supp. App. 0005



GLO000302

Print Date: 6/4/2021

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

THE GENERAL LAND OFFICE OF
TEXAS, and DAWN BUCKINGHAM,
M.D., in her official capacity as
Commissioner of the Texas General
Land Office,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
HOMELAND SECURITY; and
ALEJANDRO MAYORKAS, in his
official capacity as Secretary of the
Department of Homeland Security,

Defendants.

No. 7:21-cv-00272

MISSOURI and TEXAS,

Plaintiffs,

v.

JOSEPH R. BIDEN, in his official capacity
as President of the United States, *et al.*,

Defendants.

No. 7:21-cv-00420
(formerly No. 6:21-cv-00052)

DECLARATION OF BRIAN CARTER

My name is Brian Carter and I am over the age of 18 and fully competent to make this declaration and state the following:

1. I am the Senior Deputy Director of Asset Enhancement for the Texas General Land Office (GLO). I have worked for GLO since 2015.

2. GLO is an agency of Texas. GLO manages over 13 million acres of state-owned lands and mineral rights, with the revenue generated from those lands deposited into Texas's Permanent School Fund ("PSF") which is used to educate the schoolchildren of Texas. GLO responsibilities include managing PSF land, sales and acquisitions of PSF land, land trades, surface and mineral leases, managing improvements on PSF land, as well as the administration of contracts, and other transactions relating to leases and real property.

3. As part of my duties as Senior Deputy Director of Asset Enhancement, I oversee staff operations on one of the Texas-owned pieces of property known as the GLO Farm, a 3099-acre farm in Starr County. Starr County is in the heart of the Rio Grande Valley ("RGV"). (RGV is also an identified sector by Customs and Border Protection ("CBP") regarding wall construction.) GLO is the lessor of the GLO Farm and acts as its administrator on behalf of Texas. The GLO Farm is situated on the Texas-Mexico border and is depicted in a map (Att. 1) previously produced in this matter as GLO000302.

4. The GLO currently leases the farm for farming, grazing, and hunting, and receives \$138,000 per year in rent. The rent was previously \$150,000 per year but was reduced in an agreement with the tenant in part because of the damage done

to the property by the surge in trespassing and unlawful activity on the GLO Farm following the Proclamation.

5. Following President Biden's Proclamation, GLO has and continues to observe a public health and humanitarian crisis at a scale on Texas lands not seen during my time at GLO. Following President Biden's Proclamation, GLO has witnessed a surge of activity at the border, on the GLO Farm and on other GLO property at or near the border, transforming the border into a scene of illegal activity where people freely cross through gaps in the fencing on a daily basis and harm the properties onto which they ultimately trespass.

6. The GLO Farm itself sits next to a completed segment of the wall that has funneled the already elevated levels of illegal activity to the GLO Farm. Since President Biden's Proclamation, the GLO Farm has been burdened with a substantial increase in border-crossing activity, much of which I believe is specifically diverted to the GLO Farm by a nearby incomplete wall segment that diverts a disproportionate portion of the border crossings across the GLO Farm.

7. The harms of the increased border crossings since President Biden's Proclamation have been particularly concentrated on the GLO Farm. At the time of the Proclamation, CBP, which is an operational component of DHS, had already completed a wall segment on the property to the west of the GLO Farm. A two-mile segment of the Starr County border wall was scheduled to be constructed on the GLO Farm as part of the RGV-09 project. On August 13, 2020, CBP sent a letter to the GLO initiating negotiations to acquire 41.423 acres of the GLO Farm for border wall

construction, including a monetary offer. The GLO counter-offered, and negotiations continued during the following months, until President Biden assumed office in January 2021. By that time, CBP had already completed a segment of the RGV-09 wall abutting the GLO Farm on the property directly to the west. The Proclamation halted those negotiations and CBP's plans to build a wall on the GLO Farm.

8. The Proclamation specifically included wall projects funded by "direct appropriations" within the scope of the freeze, bringing the RGV-09 project and the planned wall segment on the GLO Farm to a dead stop. DHS implemented this Proclamation by suspending all border wall projects and ceasing land acquisition efforts (including for the GLO Farm), leaving hundreds of miles of fencing unfinished compared to what DHS had studied and planned. The termination of border wall construction left huge gaps in the border barriers, including on the GLO Farm and across Texas and the rest of the United States southern border. Construction machinery was left to sit idle.

9. Because of the unfinished border barriers, the border surge following President Biden's proclamation has transformed the GLO Farm into a superhighway of illegal activity. The tenant of the GLO Farm has a house located on-site and has reported being disturbed by those crossing the border and trespassing on the GLO Farm. Moreover, the law enforcement presence at and around the GLO Farm is now constant, with agents located on the GLO Farm almost 24/7 and helicopters regularly flying overhead. At any given time, government vehicles are typically present patrolling the area. Groups of people are frequently apprehended on the GLO Farm,

where nearby buses are regularly stationed to haul them away by the busload. Farming operations on the GLO Farm have been impacted in several ways, including restricting the time frames that certain farming operations are or are not performed and the manner, method, and timing in which certain operations, such as the spraying of chemicals, are being conducted on the GLO Farm. Essential farm activities such as the sorting of crops can no longer be carried on at night due to security concerns.

10. This new, constant border surge began on the GLO Farm in the middle of January 2021, at approximately the time of the Proclamation, and has continued in the months since. DHS claims that it intends to cancel all border barrier projects in the RGV sector, presumably including the contract for the RGV-09 project. The 2021 border surge and failure to complete the RGV-09 project resulting from the Proclamation and DHS Plan have diminished the value of the GLO Farm, which has been severely impaired in its intended use by the illegal activity. The marketability, value, and quiet use and enjoyment of the GLO Farm have been damaged, and the GLO is at risk of realizing diminished rents should the border surge continue to divert illegal border traffic to the unfinished segment of the RGV-09 project that would have been built on the GLO Farm had the Proclamation not been issued.

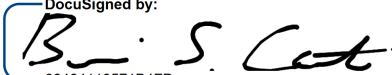
11. GLO believes that its injuries and the harms to the GLO Farm would be redressed if the Proclamation is enjoined, the RGV-09 project continues, and the border wall is completed. Completion of the wall on the GLO Farm would eliminate

DocuSign Envelope ID: 7735E968-AD7C-4D18-83FF-239DDA94D5B7

or drastically curtail the illegal border activity on the GLO Farm and redress the GLO's injuries.

12. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this the 15th day of September, 2023.

DocuSigned by:

60404110571B4FD...
BRIAN CARTER

Certificate Of Completion

Envelope Id: 7735E968AD7C4D1883FF239DDA94D5B7

Status: Completed

Subject: GLO Declaration re Harm FINAL.pdf

Source Envelope:

Document Pages: 6

Signatures: 1

Envelope Originator:

Certificate Pages: 2

Initials: 0

Marc Barenblat

AutoNav: Enabled

1700 Congress Ave

Envelopeld Stamping: Enabled

Austin, TX 78701

Time Zone: (UTC-06:00) Central Time (US & Canada)

marc.barenblat@glo.texas.gov

IP Address: 204.65.210.213

Record Tracking

Status: Original

Holder: Marc Barenblat

Location: DocuSign

9/15/2023 2:43:21 PM

marc.barenblat@glo.texas.gov

Signer Events

Brian Carter

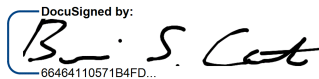
Brian.Carter@GLO.TEXAS.GOV

Sr. Dep. Dir.

Texas General Land Office

Security Level: Email, Account Authentication
(None)**Signature**

DocuSigned by:



66464110571B4FD...

Signature Adoption: Drawn on Device
Using IP Address: 174.197.15.18
Signed using mobile

Timestamp

Sent: 9/15/2023 2:44:43 PM

Viewed: 9/15/2023 2:55:27 PM

Signed: 9/15/2023 2:55:50 PM

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

In Person Signer Events**Signature****Timestamp****Editor Delivery Events****Status****Timestamp****Agent Delivery Events****Status****Timestamp****Intermediary Delivery Events****Status****Timestamp****Certified Delivery Events****Status****Timestamp****Carbon Copy Events****Status****Timestamp**

Nick Orman

nick.orman@glo.texas.gov

Attorney

Texas General Land Office

Security Level: Email, Account Authentication
(None)

COPIED

Sent: 9/15/2023 2:44:43 PM

Viewed: 9/15/2023 2:46:21 PM

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Witness Events**Signature****Timestamp****Notary Events****Signature****Timestamp****Envelope Summary Events****Status****Timestamps**

Envelope Sent

Hashed/Encrypted

9/15/2023 2:44:43 PM

Certified Delivered

Security Checked

9/15/2023 2:55:27 PM

Signing Complete

Security Checked

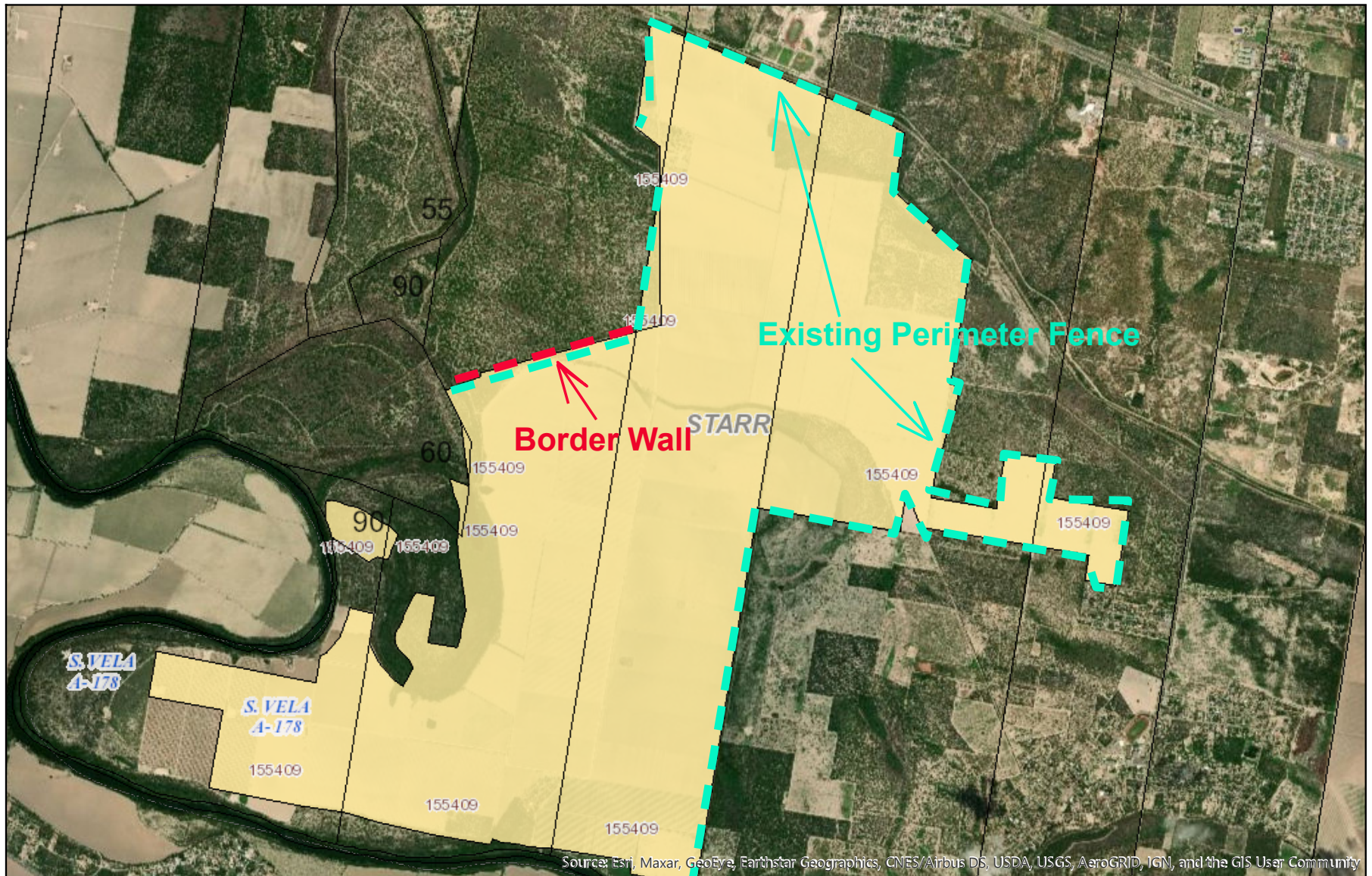
9/15/2023 2:55:50 PM

Completed

Security Checked

9/15/2023 2:55:50 PM

Payment Events	Status	Timestamps
----------------	--------	------------



StarrCo Farm, Starr County



Please review all copyright and disclaimer information from our webpage here, <https://www.glo.texas.gov/policy/index.html>. The Texas General Land Office makes no representations or warranties regarding the accuracy or completeness of the information depicted on this map or the data from which it was produced. This map is not suitable for navigational purposes and does not purport to depict boundaries of private and public land.

0 0.28 0.55 1.1 mi

Supp. App. 0014



GLO000302

Print Date: 6/4/2021



GLO000001



GLO000003



GLO000005



GLO000008



GLO000010

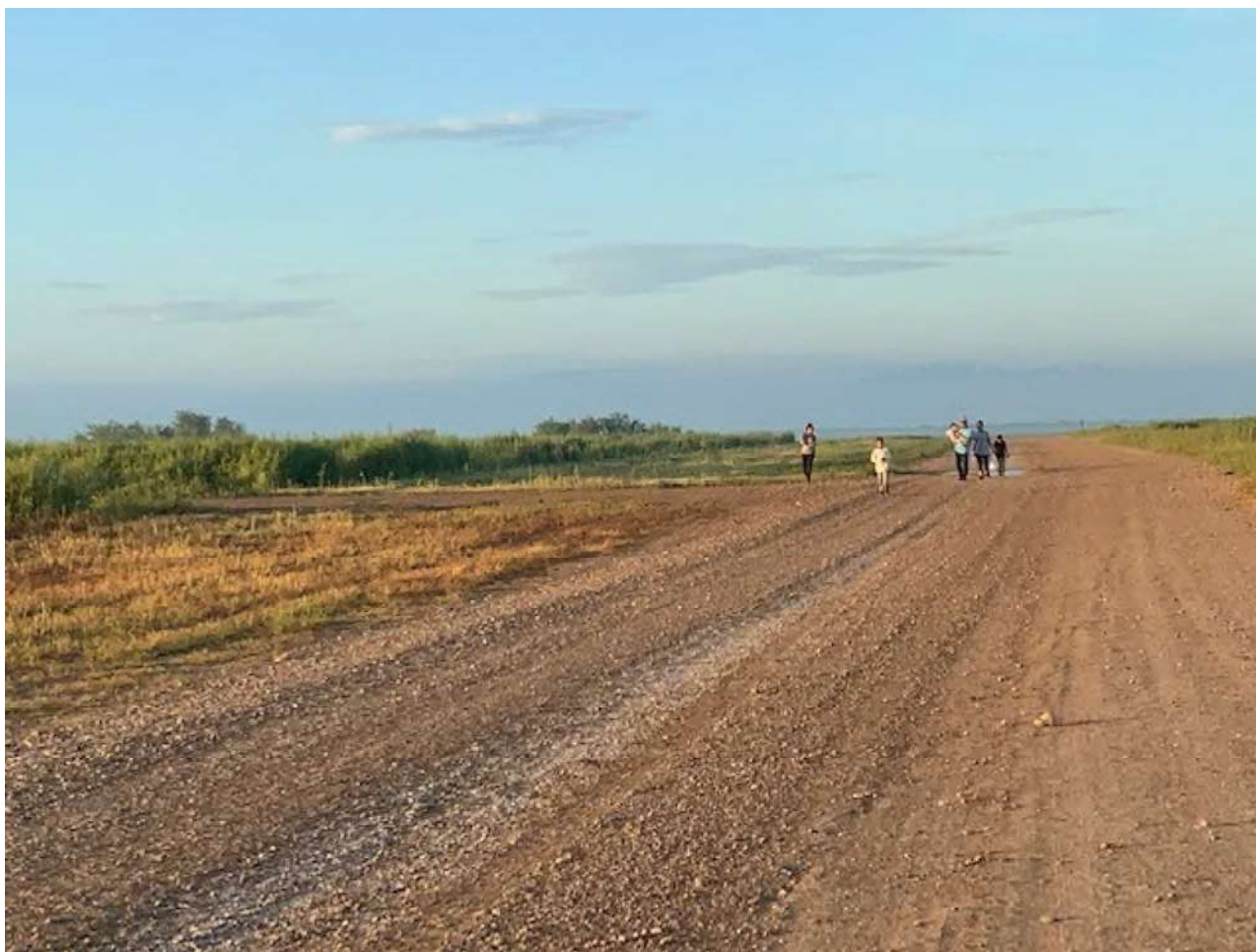




GLO000012



GLO000013



GLO000015



GLO000016



GLO000018



GLO000021



GLO000022

Supp. App. 0027



GLO000026



GLO000028



MOULTRIE

77 °F

CAMERA 1

30 JUN 2021 03:11AM

GLO000029

Supp. App. 0030



MOULTRIE

78 °F

CAMERA 1

30 JUN 2021 03:11AM

GLO000032

Supp. App. 0031



GLO000033

Supp. App. 0032



GLO000035

Supp. App. 0033



GLO000040

Supp. App. 0034



GLO000041



GLO000043

Supp. App. 0036



MOULTRIE

78 °F

CAMERA 1

30 JUN 2021 03:14AM

GLO000053

Supp. App. 0037



GLO000054

Supp. App. 0038



GLO000055



GLO000057

Supp. App. 0040



GLO000059

Supp. App. 0041



MOULTRIE

80 °F

CAMERA 1

30 JUN 2021 03:15AM

GLO000062

Supp. App. 0042



GLO000063

Supp. App. 0043



GLO000066

Supp. App. 0044



GLO000068



GLO000070



MOULTRIE

77 °F

CAMERA 1

01 JUL 2021 03:54AM

GLO000082

Supp. App. 0047



GLO000084

Supp. App. 0048



MOULTRIE

77 °F

CAMERA 1

01 JUL 2021 03:54AM

GLO000085

Supp. App. 0049



MOULTRIE

77 °F

CAMERA 1

01 JUL 2021 03:54AM

GLO000088

Supp. App. 0050



GLO000091



GLO000096

Supp. App. 0052



GLO000098



GLO000099

Supp. App. 0054



GLO000100

Supp. App. 0055



GLO000104

Supp. App. 0056



GLO000125

Supp. App. 0057



GLO000126

Supp. App. 0058



GLO000131

Supp. App. 0059



GLO000132

Supp. App. 0060



GLO000133

Supp. App. 0061



GLO000143

Supp. App. 0062



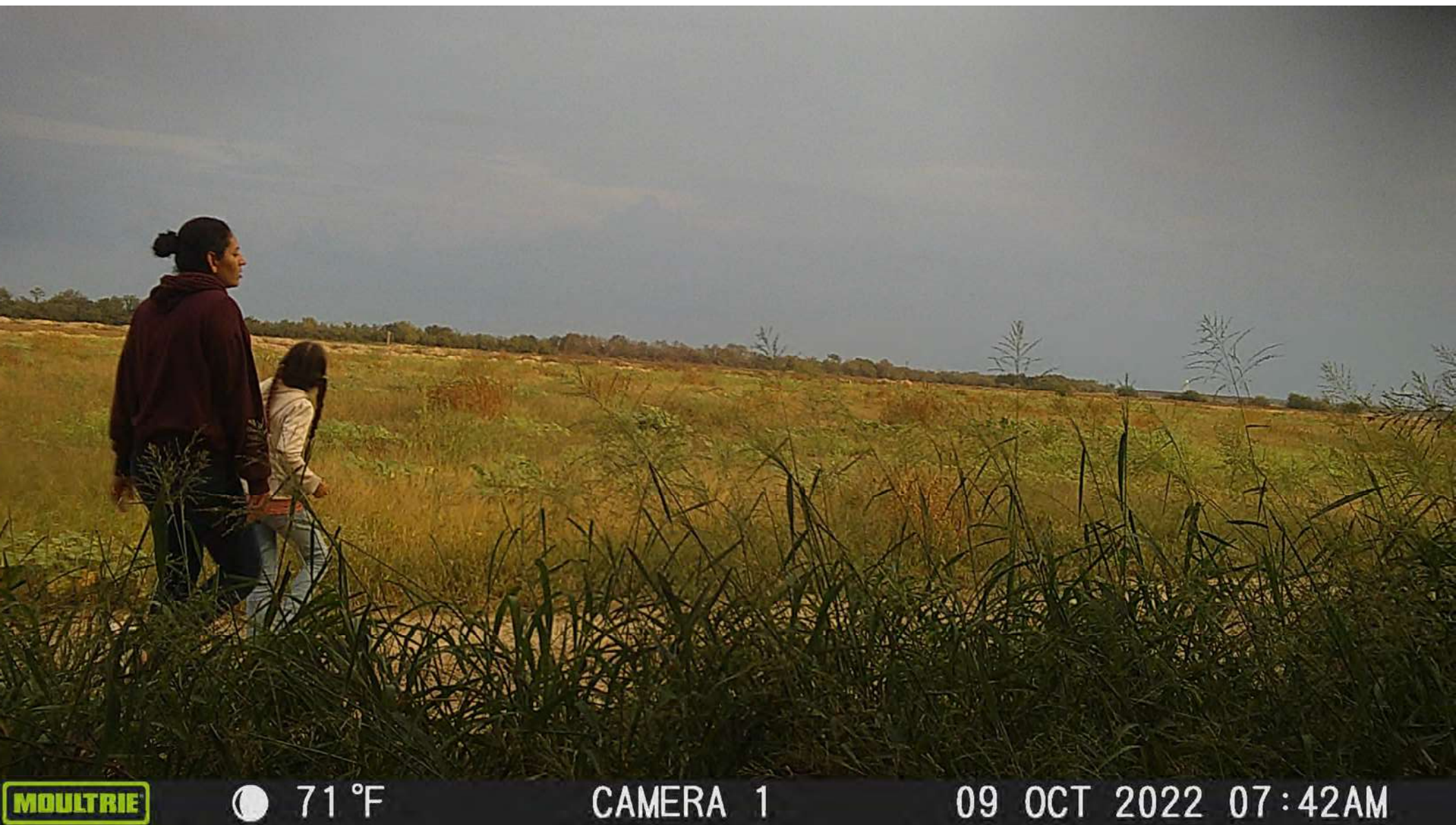
GLO000192

Supp. App. 0063



GLO000211

Supp. App. 0064



GLO000213

Supp. App. 0065



GLO000220

Supp. App. 0066



GLO000221

Supp. App. 0067



GLO000226

Supp. App. 0068



GLO000227

Supp. App. 0069



GLO000234

Supp. App. 0070



GLO000235

Supp. App. 0071